

WOMEN'S HOMELESSNESS IN THE UNITED STATES

"Despite the fact that, worldwide, women are the primary users of housing and thus most affected by housing, women have been excluded from virtually every aspect of the housing process from policy development, planning and design, ownership, construction, and even housing movements."

-Leilani Farha, Special Rapporteur on adequate housing [1]

Prevalence of Women's Homelessness

- While official statistics significantly undercount homelessness, [2] according to the Department of Housing and Urban Development ("HUD"):
 - In 2019 in the United States ("U.S."), there were **219,911 women** experiencing homelessness, compared to 343,187 men. [3]
 - In 2019 in Miami-Dade County ("MDC"), **33.29%** of people experiencing homelessness were women (totaling **1,156 women**). [4]
- Transgender women of color experienced even higher rates of homelessness: American Indian (**59%**), Black (**51%**), multiracial (**51%**), Middle Eastern (**49%**), and Latina (**35%**). [5]
- The combined number of women who enter both homeless and domestic violence shelters annually is roughly **1,129,307**. [6]
- Single women and mothers with children are the two **fastest-growing** groups of people experiencing homelessness in the United States. [7]

Women's Right to Adequate Housing

- Core international human rights instruments, including the **Universal Declaration of Human Rights**, [8] **International Covenant on Economic, Social and Cultural Rights**, [9] and **Convention on the Elimination of All Forms of Discrimination Against Women** [10] espouse the right to adequate housing.
- The right to adequate housing includes seven components, uniquely impacting women: **legal security of tenure; availability of services, materials, facilities and infrastructure; affordability; habitability; accessibility; location; and cultural adequacy**. [11]
- The United Nations Committee on the Elimination of Discrimination against Women highlighted: *"[T]he right to own, manage, enjoy and dispose of property is central to a woman's right to enjoy financial independence, and in many countries will be critical to her ability to earn a livelihood and to provide adequate housing and nutrition for herself and for her family."* [12]

Economic Insecurity Impedes Women's Access to Housing

- In the U.S., women make up **63%** of workers earning the federal minimum wage and earn less than men on average in all industries. [13]
- Poverty is particularly acute for women of color, affecting **21.4%** of Black women, **18.7%** of Latinas, and **22.8%** of Native American women, compared to the national poverty rate of 7% for White men. [14]
- Black women are more than **twice** as likely to have evictions filed against them as white people. [15]
- In MDC, **40%** of households are single parent led [16] and, of those, **71%** are led by women. [17] **17%** of femme-led single parent households earn less than a living income. [18]

Domestic Violence: A Leading Cause of Women's Homelessness [19]

*"It is often the case that the woman experiencing violence, rather than the male perpetrator, must leave the home. Because women avoid living on the streets, particularly if they are caring for children, they are more likely to be found among the **"hidden homeless"** and denied the benefit of programmes directed at persons in more visible forms of homelessness."*

-Leilani Farha, Special Rapporteur on adequate housing [20]

- **57%** of all women experiencing homelessness report domestic violence as the immediate cause of their homelessness. [21]
- Roughly **80%** of homeless women with children have previously experienced domestic violence. [22]
- Yet, in the U.S., some landlords have adopted "zero tolerance for crime" policies, enabling the eviction of tenants for violence in their homes, regardless of whether they are the victim or the perpetrator of the violence. [23]

COVID-19 and Women

"For too many women and children, home can be a place of fear and abuse. That situation worsens considerably in cases of isolation such as the lockdowns imposed during the COVID-19 pandemic."

-Dubravka Simonovic, Special Rapporteur on violence against women [24]

- In fact, UN Women has deemed rising rates of gender-based violence, particularly domestic violence, with COVID-19 a **"shadow pandemic."** [25]
- According to the National Commission on COVID-19 and Criminal Justice, the number of domestic violence incidents in the U.S. increased by **8.1%** after lockdown orders were enacted. [26]
- In an initial survey of MDC domestic violence service providers, almost **half** report their clients are, overall, **less safe** than when the pandemic began. [27]
 - Moreover, the kind of service requests has changed since the pandemic started, with rental assistance, **housing** and direct financial assistance being the greatest needs. [28]
- In MDC, Lotus House Women's Shelter faced both rising rates of reported domestic violence and increased demand by women and children seeking shelter, as well as unprecedented health and safety challenges in meeting those demands, due to the COVID-19 pandemic. [29]
 - In 2020, Lotus House sheltered a record 1,354 women, youth, and children, an increase of 202 guests compared to 2019; this represents a **17.5% increase** over the prior year. [30]
 - Overcoming their fear of entering a shelter during the pandemic, Lotus House recorded a **37.6% increase** in the percentage of sheltered women with **domestic violence** in 2020 compared with 2019. [31]

Violence Resulting from Homelessness

- Homelessness for women presents an increased risk of violence, including sexual assault and abuse for those living on the streets. [32]
- Additionally, unsheltered Black trans women are at extreme risk for both private violence and law-enforcement harassment living on the streets. [33]

Responses to Women's Homelessness

- In 2016, HUD expanded protections for domestic violence survivors to comply with the **Violence Against Women Act**, [34] which involves the opportunity to request an emergency housing transfer to separate the survivor from the perpetrator.
- **MDC's Human Rights Ordinance** makes it unlawful to discriminate against any person in employment, **housing**, or public accommodations on the basis of status as a victim of domestic violence, dating violence, or stalking. [35]
- In MDC, **Lotus House**, the largest women's shelter in Florida and one of the largest in the United States, offers vital supports for women and children facing homelessness, by providing a safe haven with holistic, trauma-informed shelter, wrap-around supportive services, education, tools and resources to heal and reclaim their lives. [36]

Recommendations

- To address women's homelessness, federal, state and local governments must:
 - Recognize women's right to adequate housing by ratifying ICESCR and CEDAW.
 - Ensure the participation of women's organizations and advocates, including BIPOC-led organizations, in the development of housing policies, programs, and projects, as well as in the elaboration of laws, taking women's needs into account. [37]
 - Ban "zero tolerance for crime" policies in leases as violations of the Fair Housing Act's protections against sex discrimination, stopping landlords from penalizing survivors of domestic violence.
 - Provide legal representation or court navigators to assist those women facing eviction due to domestic violence.
 - Ensure that domestic violence survivors have access to protection through helplines, safe shelters, psychosocial support, restraining orders, and rapid response by police.
 - Increase funding for women's shelters/safe havens and supportive services tailored to meet the gender-specific needs of women experiencing homelessness and their children.

Endnotes

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3. *State of Homelessness: 2020 Edition*, NAT'L ALLIANCE TO END HOMELESSNESS (May 2020), https://endhomelessness.org/homelessness-in-america/homelessness-statistics/state-of-homelessness-2020/?gclid=Cj0KQciA340BBhCcARIsAG32uvPB9gF-94zMirySWNbwIq4rB6DsjzGF4ZO67alWvDpZDQShoLC8WUlaArnFEALw_wcB (citing HUD's January 2019 Point-in-Time count).
4. *2019 AHAR: Part 1 - PIT Estimates of Homelessness in the U.S.*, HUD EXCHANGE (Jan. 2020), <https://www.hudexchange.info/resource/5948/2019-ahar-part-1-pit-estimates-of-homelessness-in-the-us/> (last visited March 10, 2021).
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9. International Covenant on Economic, Social, and Cultural Rights (“ICESCR”) art. 11(1), *signed* Oct. 05, 1977, 993 U.N.T.S. 3
10. Convention on the Elimination of All Forms of Discrimination Against Women (“CEDAW”) art. 14(2), *signed* July 17, 1980, 1249 U.N.T.S. 13.
11. Comm. on Econ., Soc., and Cultural Rts. (“CESCR”), General Comment No. 4: The Right to Adequate Housing (Art. 11 (1) of the Covenant), ¶ 8, U.N. Doc. CESCR/E/1992/23 (Dec. 13, 1991).
12. Comm. on the Elimination of Discrimination Against Women (“CEDAW Comm.”), General Recommendation No. 21: Equality in Marriage and Family Relations, ¶ 26, U.N. Doc. A/49/38 (1994).
13. *Gender Economic Inequality*, INEQUALITY.ORG, <https://inequality.org/facts/gender-inequality/#gender-income-gaps>.
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34. HUD, *Violence Against Women Reauthorization Act of 2013: Implementation in HUD Housing Programs*, Federal Register Vol. 81, No. 221, at 80724 (Nov. 16, 2016).
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36. *About Us*, LOTUS HOUSE, <https://lotushouse.org>. Learn more about their award winning program at www.lotushouse.org.
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